

The regular meeting of the Amherst Town Council was called to order on July 8, 2009 at 7:00 P.M. in the Council Chambers of the Town Hall at 186 S. Main Street with Mayor Jacob P. Bailey presiding. Council members Bobby J. Bondurant, J. Paul Kilgore, Haney Mottley, Harold Swisher and Richard Wydner were present. Town Manager Jack Hobbs, Police Chief Kenneth Watts, Director of Public Utilities Tom Fore, Office Manager Colan Davis and Town Attorney Tom Berry were also present.

Mr. Fore gave an invocation.

Mayor Bailey thanked everyone for attending the ArtMeters unveiling at the Minipark at 6:30 P.M.

Felicia Sorrells, a resident of 138 Church Street, came forward to request the Town to install storm drainage piping on Millner Street and to help maintain the surface of the travelway there. The matter was referred to the Community Relations Committee.

Mr. Kilgore made a motion that was seconded by Mr. Wydner to approve the minutes for the June 10, 2009 meeting as previously submitted. The motion passed 4-0. Messrs. Bondurant, Kilgore, Swisher and Wydner voted "Aye". Mr. Mottley abstained.

Police Chief Watts came forward to present a proposed expansion to the regional law enforcement mutual aid agreement. Mr. Mottley made a motion that was seconded by Mr. Swisher to adopt a resolution to authorize the Town Manager to sign such agreements. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". A copy of the resolution is attached and made a part of these minutes.

The Town Attorney presented a proposed ordinance which would have the effect of reconfiguring property lines and eliminating a drainage easement on Sunset Drive as requested by Tom Hall and as per the Town Council's March 11, 2009 public hearing. Mr. Kilgore made a motion that was seconded by Mr. Wydner to adopt the ordinance as proposed. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye". A copy of the ordinance is attached and made a part of these minutes.

Mr. Kilgore gave a report on his negotiations to renew the Town Shop cell tower lease. Mr. Kilgore made a motion that was seconded by Mr. Wydner to authorize the execution of the negotiated lease document subject to Town Attorney review. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

After some discussion on specifications, Mr. Mottley made a motion that was seconded by Mr. Bondurant to go to bid on a S. Main Street welcome sign. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

After some discussion on the status of the project, funding and bid strategy, Mr. Mottley made a motion that was seconded by Mr. Bondurant to go to bid on the Phase 2 portion of the S. Main Street sidewalk project. The motion passed 5-0. Messrs. Bondurant, Kilgore, Mottley, Swisher and Wydner voted "Aye".

A letter from VDOT regarding a request from citizens on Briarherst Drive to reduce the speed limit to 25 mph and to erect “watch for children” signs was reviewed. Mr. Wydner made a motion that was seconded by Mr. Mottley to endorse the request. The motion passed 4-1. Messrs. Bondurant, Mottley, Swisher and Wydner voted “Aye”. Mr. Kilgore voted “Nay”.

There being no further business, the meeting adjourned at 8:55 P.M.

Jacob P. Bailey
Mayor

Attest:

Clerk of Council

A RESOLUTION TO APPROVE THE EXTENSION OF THE LAW ENFORCEMENT
MUTUAL AID AGREEMENT.

WHEREAS, for a number of years the cities, counties and towns in Central Virginia and their law enforcement agencies have participated in mutual aid agreements; and,

WHEREAS, these mutual aid agreements have (a) helped promoted regional cooperation among law enforcement agencies (b) helped participating jurisdictions provide necessary law enforcement services during emergencies and (c) helped enhance the overall quality of law enforcement services in Central Virginia;

WHEREAS, on February 7, 2007, the Town Council of the Town of Amherst authorized the town to enter into a written mutual aid agreement dated February 1, 2007, with the Amherst County Sheriff's Department, the Appomattox County Sheriff's Department, the Bedford County Sheriff's Department, the Campbell County Sheriff's Department, the Lynchburg Sheriff's Department, the Town of Altavista, the Town of Amherst, the Town of Brookneal, the City of Bedford, and the City of Lynchburg; and,

WHEREAS, these mutual aid agreements need to be amended from time to time to reflect amendments to the Virginia Code, to add new parties, etc; and,

WHEREAS the Sheriff's Departments of Nelson County and Pittsylvania County have requested that they be allowed to participate in the mutual aid agreement along with the cities, counties and towns and other law enforcement agencies in Central Virginia;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Amherst hereby authorizes the Town Manager to enter into a written mutual aid agreement with the Amherst County Sheriff's Department, the Appomattox County Sheriff's Department, the Bedford County Sheriff's Department, the Campbell County Sheriff's Department, the Lynchburg Sheriff's Department, the Nelson County Sheriff's Department, the Pittsylvania County Sheriff's Department, the Town of Altavista, the Town of Amherst, the Town of Brookneal, the City of Bedford, and the City of Lynchburg; and such other cities, counties and towns and law enforcement agencies in the Central Virginia area as may be appropriate for the joint use of law enforcement forces, both regular and auxiliary, equipment and materials, in order to maintain peace and good order, and the Town Manager is authorized to execute such an agreement on behalf of the Town of Amherst.

BE IT FURTHER RESOLVED the Town Council of the Town of Amherst hereby approves the Town's participation in future law enforcement mutual aid agreements with the cities, counties and towns in Central Virginia and their law enforcement agencies and at such times as those mutual aid agreements need to be updated and amended, the Town Council authorizes the Town Manager to sign such future law enforcement mutual aid agreements on behalf of the Town.

This resolution was adopted on July 8, 2009.

Mayor

ATTEST:

Clerk of the Council

**AN ORDINANCE APPROVING A
BOUNDARY LINE ADJUSTMENT**

WHEREAS, by plat of the Dameron Subdivision filed in the Clerk's Office of the Circuit Court of Amherst County, Virginia, in Plat Book F, page 184, Lots 4 thru 12;

WHEREAS, the owners of Lots 6, 7 and 8, tax parcels 95-5-6, 95-5,7 and 95-5-8, are requesting approval of a boundary line adjustment to combine Lot 7 and 8 into one lot and adjust the boundary line of Lot 6 as set forth on plat prepared by Aaron Dooley, dated December 29, 2008; and,

WHEREAS, the owner of Lot 7 and 8 is requesting the vacation of a 6 foot drainage easement between Lots 7 and 8; and,

WHEREAS, it is necessary the owner put to record plat dated December 29, 2008; and,

WHEREAS, proper application has been made to the Town of Amherst for resubdivision of the Dameron Subdivision Lots 6, 7 and 8; and,

WHEREAS, the Town Council of the Town of Amherst desires to approve the vacation and resubdivision of Lots 6, 7 and 8 of the Dameron Subdivision and vacation of the 6 foot drainage easement.

WHEREAS, pursuant of Section 15.2-2204 of the Code of Virginia and Section 18.1-1202.02(2) of the Town Code of the Town of Amherst, the Amherst Town Council held a public hearing on March 11, 2009 at 7:00 P.M. in the Council Chamber of the Town Hall to receive comments on the proposed vacation and resubdivision of Lots 6, 7 and 8 of the Dameron Subdivision and vacation of the 6 foot drainage easement.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF AMHERST, VIRGINIA:

Section 1. The Town hereby approves the requested vacation and resubdivision of boundary lines of Lots 6, 7 and 8 of the Dameron Subdivision.

Section 2. The Town hereby approves the requested vacation of the 6 foot drainage easement between Lots 7 and 8.

Section 3. The Town hereby vacates any portion of previously platted subdivision of the Dameron Subdivision Lots 6, 7 and 8.

Section 4. The Town hereby directs the "Plat Showing Resubdivision of Dameron Subdivision Lots 6, 7 and 8, Town of Amherst, VA," be place on record in the Clerk's Office for the Circuit Court of the County of Amherst, VA.

Section 5. Easements are hereby reserved for the operation, maintenance, repair and replacement of existing public utilities, if any, lying within the vacated lot, and, further any existing easements for such utilities shall not be altered or amended by virtue of this ordinance.

Section 6. The Town Manager is authorized to execute such additional documents as may be necessary to evidence the resubdivision of Lot 6, 7 and 8 of the Dameron Subdivision and the vacation of the 6 foot drainage easement.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED
PUBLISHED THIS ____ day of _____, 2009.

, Mayor

ATTEST:

, Clerk

APPROVED AS TO FORM:
